

5-26-04

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**TRANSMITTAL
FORM***(To be used for all correspondence
after initial filing)*

Application Number	10/633,294
Filing Date	July 31, 2003
First Named Inventor	Tom G. Poast
Art Unit	3679
Examiner Name	
Attorney Docket No.	320043.429

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>): _____ _____ _____
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Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	Richard C. Vershave	Customer Number 00500
Signature		
Date	May 25, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	*****SENT VIA EXPRESS MAIL*****	
Signature		Date:

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS	Application Number	10/633,294
	Filing Date	July 31, 2003
	First Named Inventor	Tom G. Poast
	Art Unit	3679
	Examiner Name	
	Attorney Docket Number	320043.429

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application:

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners at Seed IP Law Group PLLC, Customer Number: **00500**

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with Customer Number **00500**

OR

<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City					
Country		State		ZIP	
Telephone		Fax			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ As assignee of record of the entire interest I/we hereby elect, under 37 CFR 3.71, to prosecute the application to be the exclusion of the inventor(s).

SIGNATURE of Applicant or Assignee of Record

Name	Bruce F. Gibson
Signature	
Date	MAY 19 2004

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Tom G. Poast et al.
Application No./Patent No.: 10/633,294 Filed/Issue Date: July 31, 2003

Entitled: **TUBULAR METAL FITTING EXPANDABLE IN A WALL OPENING AND METHOD OF INSTALLATION**

Fatigue Technology, Inc.

(Name of Assignee)

a

corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title noted in B above are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

MAY 19 2004

Date

Bruce F. Gibson

Typed or printed name

(206) 246-2010

Telephone Number

Signature

President

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ASSIGNMENT

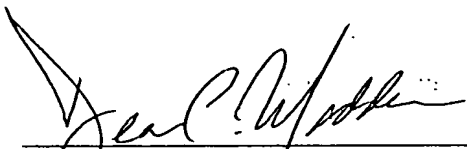
WHEREAS, WE, Tom G. Poast of Seattle, Washington, Dean C. Madden of Coppell, Texas, and Mark R. Weiss of Seattle, Washington (hereinafter "ASSIGNORS"), have made a new and useful INVENTION relating to a "TUBULAR METAL FITTING EXPANDABLE IN A WALL OPENING AND METHOD OF INSTALLATION", and on July 31, 2003, filed U.S. Patent application Serial No. 10/633,294 (hereinafter "PATENT APPLICATION");

WHEREAS, Fatigue Technology Incorporated, (hereinafter "ASSIGNEE"), a Washington corporation, having a place of business at 401 Andover Park East, Seattle, Washington, is desirous of acquiring the ASSIGNORS' entire right, title and interest in and to the INVENTION, the APPLICATION and any and all Letters PATENT that may be granted thereon, either in the United States or a foreign country;

NOW THEREFORE, for and in consideration of one dollar (\$1.00) and other good and valuable consideration, to me in hand paid, the receipt and sufficiency of which are hereby acknowledged, we have sold, assigned, and set over, and by these presents do hereby sell, assign and set over, onto said ASSIGNEE, the full and exclusive right, title and interest into the INVENTION, the APPLICATION, all priority rights based on the APPLICATION, and any and all continuation, divisional, renewal, substitute of reissue applications based on the APPLICATION that may hereinafter be filed; the Letters PATENT of the United States ensuing from said APPLICATION, or from any continuation, divisional, renewal, substitute or reissue thereof, for the full term or terms for which the same may be granted; all corresponding foreign applications that may or shall hereinafter be filed; and, all foreign patents to be obtained on INVENTION for the full term or terms for which the same may be granted;

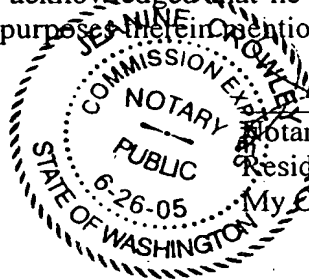
The assigned INVENTION, APPLICATION and any and all Letters PATENT, both foreign and domestic, are to be held and enjoyed by ASSIGNEE for the use and benefit of ASSIGNEE and of ASSIGNEE's legal representatives, successors and assigns, as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this Assignment and Sale not been made; and, I hereby authorize the request the Commissioner of Patents and Trademarks to issue the Letters Patent to the ASSIGNEE.

ASSIGNORS also agree that this Assignment includes ASSIGNORS' Proprietary Rights under the International Convention with respect to any and all corresponding foreign applications

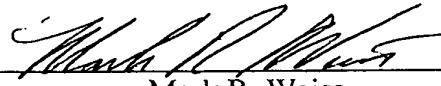

Name: Dean C. Madden
Address: 279 Suzanne Way
Coppell, TX 75019

STATE OF WASHINGTON)
)ss.
County of King)

On this 9 day of February, 2003, personally appeared before me Dean C. Madden, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

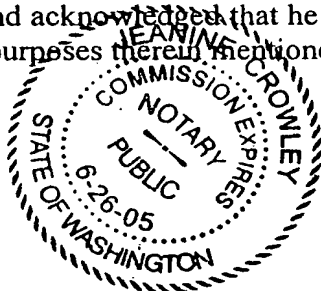


Dean C. Madden
Notary Public in and for the State of Washington
Residing at: Kent WA
My Commission expires: 6/26/2005


Name: Mark R. Weiss
Address: 2117 NE 102nd
Seattle, WA 98125

STATE OF WASHINGTON)
)ss.
County of King)

On this 9 day of February, 2003, personally appeared before me Mark R. Weiss, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.



Mark R. Weiss
Notary Public in and for the State of Washington
Residing at: Kent WA
My Commission expires: 6/26/2005